

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No.: 2:12-cr-00303-APG-CWH

Plaintiff

V.

SANDRA CEBREROS GUEVARA,

**Order Denying Motion to Vacate, Set
Aside, or Correct Sentence under 28 U.S.C.
§ 2255**

Defendant

[ECF No. 87]

Defendant Sandra Cebreros Guevara filed a motion to vacate, set aside, or correct her
sentence under 28 U.S.C. § 2255. ECF No. 87. She filed her original motion pro se. *Id.* It does
not identify any basis for relief. *Id.* She attached a letter to her motion requesting that I appoint
counsel to assist her, which I granted. *Id.*; ECF No. 88. I directed counsel to file either an
amended motion to vacate or a notice that counsel does not intend to file an amended motion.
ECF No. 89. Counsel filed a notice indicating that she could not “identify any cognizable issue
with respect to the 2255 Motion.” ECF No. 90.

Because no ground has been identified to vacate, set aside, or correct Cebreros Guevara’s
sentence, I deny her § 2255 motion. To appeal this order, Cebreros Guevara must receive a
certificate of appealability from a circuit or district judge. 28 U.S.C. § 2253(c)(1)(B); Fed. R.
. 22(b)(1); 9th Cir. R. 22-1(a). To obtain a certificate of appealability, she “must make a
substantial showing of the denial of a constitutional right, a demonstration that . . . includes
a showing that reasonable jurists could debate whether (or, for that matter, agree that) the petition
had been resolved in a different manner or that the issues presented were adequate to
warrant encouragement to proceed further.” *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000)

1 (quotation omitted). Given that Cebreros Guevara has not identified any basis for relief, I deny a
2 certificate of appealability.

3 IT IS THEREFORE ORDERED that defendant Sandra Cebreros Guevara's motion to
4 vacate, set aside, or correct her sentence under 28 U.S.C. § 2255 (**ECF No. 87**) is **DENIED**.

5 IT IS FURTHER ORDERED that the clerk of court is directed to enter a separate civil
6 judgment denying defendant Sandra Cebreros Guevara's § 2255 motion. The clerk shall file this
7 order and the civil judgment in this case and in the related civil case number 2:19-cv-00058-
8 APG.

9 DATED this 2nd day of May, 2019.



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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
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